

News from U.S. Rep. John Spratt (D-SC)
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U.S. House of Representatives, Washington, D.C.
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Rep. Spratt Criticizes WTO Decision on Anti-Dumping Remedy, Calls on Administration to Strike Back

WASHINGTON— U.S. Rep. John Spratt (D-SC) strongly criticized a ruling handed down today by the World Trade Organization (WTO) Appellate Body. The WTO found the Continued Dumping and Subsidy Offset Act, also known as the Byrd Amendment, to be a violation of global trade accords.

The Byrd Amendment, authored by Senator Robert Byrd (D-WV), directs that penalties paid to the United States by foreign companies found guilty of dumping should go directly to the companies harmed by the dumping. Prior to this amendment, penalties collected for dumping went to the U.S. Treasury.

Spratt said: “The principle is basic: the companies directly harmed should be made as nearly whole as possible. If we are going to shield companies and their workers from dumping, this needs to be part of the remedy.”

The European Union and eight other nations challenged the legality of the Byrd Amendment at the WTO in January 2001. In September 2002, the WTO held that the Byrd Amendment placed the US in violation of its obligations. The Bush Administration filed an appeal. The appeal was rejected by the WTO Appellate Body today in Geneva as an “impermissible specific action against dumping.”

Spratt said: “This is a clear example of overreaching by the WTO, extending obligations to the United States that do not exist in any trade agreement. This is not the first time the WTO has done this.”

In the Trade Act of 2002, Congress mandated that the Bush Administration report back by the end of the year on what it intended to do regarding the WTO’s overreaching. The Administration filed its report December 31st, stating that it would address such matters in Doha Round negotiations.

Spratt said: “I think the Bush Administration should serve notice now that this issue is part of the Doha agenda, and we will not close the round until it is resolved to our satisfaction.”

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